W.H. 658
6.3.44.

PRESERVED

App. F. IX-4

1933

File No. 188-33

Previous References

do (do)

do 188-33(1-8)

Serial Nos. 9-24

Later References.

188-35 (5-8)
" 125-37)-1-4
" 188-37

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 16

Part B for June 1935.

SUBJECT.

Procedure to be followed in inter-state extradition between Mysore and the States adjoining the Bombay Presidency.

WD 01965—GPB—15,000—7-7-34

M Gurgar
26/7/35

Government of His Highness the Maharaja of Mysore.

General and Revenue Secretariat.

No. Bangalore, dated the 8th May 1935.

Official Memorandum.

Whenver the extradition to Mysore of any fugitive from other Indian States has to be arranged for the District Magistrates of Districts are requested to forward the applications for such extradition in triplicate.

By Order,

for Chief Secretary to Government.

SG

To

The District Magistrates of Districts.

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.278-34(1)
R.O.I.

FROM

Major C.G.N. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 18th May *1935.*

Subject.
Extradition of Peetlore Eara from the Ramdurga State.
.....

SIR,

I am directed to refer to your letter No.Pol.1123/cts.188-33 dated the 11th April 1935, and to say that the Diwan of Ramdurg has intimated that the accused Peetlore Eara was duly handed over to the Mysore Police escort on the morning of the 20th April 1935.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

PKH

162/1934 Pol. I

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.278-34
R.O. I

Cy-188-33-9

FROM

Major C.G.N. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated, Bangalore, the 15th Sept. *1934.*

CHIEF SECRETARIAT 17 SEP. 1934

Subject.

Extradition of Peetlore Eara and Peetlore Hanuma from the Ramdurga State to Mysore.

SIR,

In continuation of the correspondence ending with endorsement from this Residency No. 4824, dated the 9th July 1934, I am directed to say that the accused Peetlore Eara and Peetlore Hanuma are undergoing imprisonment in the Ramdurga State Jail for a period of one year for failure to furnish security. A further communication regarding their extradition will be addressed to you shortly.

I have the honour to be,

Sir,

Your most obedient servant,

SECRETARY TO THE RESIDENT.

No communication has been received. May the Resy be reminded.

Please enquire from the Supdt Shimoga if these persons have not been surrendered till now?

Issued P 3695

Rim.

5 The D. Gr Shemaja says that the prisoners have not been surrendered
May the Rs.4 be remitted

MBU
23/2/33

No 278 & 285/2 from 10.
Ruby Stanley Pattern
Harriman has been discharged & their Pattern Cards will be surrendered on release and suggests procedures for recovering prisoners from Deccan States".

(6) In the case of visits & to enlistments a portion of the transit is generally through Br. India, and a warrant is issued by the Political Agent to cover this transit. It is the British police who will have to execute the warrants. & I would like it is a point for consideration if escort through Br. India by the Imperial Police will be required hereafter.

4882 3

GENERAL AND REVENUE SECRETARIAT.

( )

NOTES.

File No.

FILE HEADING.

FROM

No. Dated Received

Diary No. | Enclos. Spare copies | Serial No.

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS.

1) If it is not escape of the accused during such transit will not be escape from lawful custody & will go unpunished.

Subd. for orders if the D.G of Police may be consulted

See

NOTES—First Sheet 3.

Work

WD 69—GBPM—5,000—14-7-31

6) our Police officers cannot under the laws in force in Br: India, have lawful custody of these prisoners while in transit through Br: India. It is not clear therefore how the proposals made in the Residency letter can be accepted. However the D. G of Police will be consulted in the matter & the question further examined.

Subt for perusal:

Chief Secy) 2/3

9) D/Sy. - to be treated as an urgent matter
Sy
4/3 (3)

X* 5/3

Draft Secretl

1) Issue
5/3
to P.L.G. & D/ 7/3 to D.G of P. for his views in the matter.

S. MAR. 1935
GENL. & REV. SECTT.

Phasirimind on 20-3-35
13.3.35

5265 5

General and Revenue Secretariat | C5 File No. 188 of 1933 | [App. F. III–2

Serial No.

12 No 463 of 1933 from the I. G of Police stating that he has no objection to the proposals ...

(2) Submitted for orders.

See 1813/33 pp.

(3) From the administrative point of view, there is no objection to accept the proposals of the Bombay Govt in regard to interstate Extradition. But the legal difficulty is that while the fugitive is under transit through British India, he will be under the Custody of the Police of the State requiring his Surrender. The British Indian Law does not recognise the legality of such custody and this may lead to many difficulties. ~~Suppose a fugitive is kidnapped from Kolhapur~~ for instance, the legality of his detention may be contested by an appln for Habeas Corpus under sec 491 of the Br. Indian Cr. P. Code. Or in Cases of the fugitive escaping from the

NOTE—Contn. Sheet.

6

5254

File No. 1486 of 1933. | General and Revenue Secretariat

custody of our police officers sec 223 of the Indian Penal code as in force in British India may not apply. This difficulty may be got over only if the state police while escorting the fugitive in British India are given proper authority to do so under a warrant duly issued by a British Indian magistrate. But it is not easy to see how this can be done.

147 I think we can point out these difficulties to the Residency and say that this Govt would have no objection to accept the proposals re: extradition to & from Bombay States, if the legality of the custody of the fugitive while in transit thro' British India is placed beyond doubt.

Chief Sec'y) 18/3/35

St Member
Rev'l
Genl (Secy) Sec'y

20.3.35

OFFICE OF THE HIS[illegible] 21 MAR. 1935 6785

21/3/35

22/3/35

5265/

Indian Statutory Commission

General and Revenue Secretariat

C/S File No. 188 of 1933

[App. F. III–2

Serial No.

16) Secy. with a draft Rly

See

20/3 17) Typed off please

24/3/35

(18) Typed off Secy

25/3

for approval

(Chief Secy)

26/3/35

1st month

27/3/35

Genl (Law) Secy

27/3/35

28/3/35

19) Issue

28/3/35

B3 re Pol. Obs of 30/3 & Rly Starting time as soon as Govt have no objn. also if the legality of our posting in Br. India is beyond doubt

Sec C
in a month
5-4-35

NOTE—Contn. Sheet.

TYPING SECTION. 25 MAR 1935 GENL. & REV. SECTT.

GENERAL DEPARTMENT 27 MAR 1935

OFFICE OF THE 28 MAR 1935

TYPING SECTION. 29 MAR 1935 GENL. & REV. SECTT.

6

C/6 File No. 188 of 1933 | General and Revenue Secretariat

No 278 of 1934 from Resy 14
stating that accused Pattoo
Rama must be released
on 20-4-35.
Pattoo Ramanna has
been discharged before
completion of his Sentence
in Ramadurgam Jail.
Case is to be released
on 20th inst. From their
letter of 25.2.35 the
Resy suggests that
a police escort may
~~be sent~~ to take delivery
of the accused. We
~~have~~ reported pointing
out the legal difficulty.
But ~~Govt~~ intimation
is now received that
Case is to be released
on 20-4-35. A police
escort has perhaps
been sent pending
decision on the general
question.
~~Submitted~~
Submd. for orders if
the D. M. S. Mission
may be asked to

General and Revenue Secretariat | File No. 188 of 1933 | [App. F. III–2

Serial No.

arrange for a police escort to take delivery of the accused.

Sd
10/4.
Pol

2) Pending settlement of the funeral question, a police escort from here has to be sent to escort the prisoner to the Gate.

3) Draft accordingly

PRL
10/4/35

3) Sub. with a draft to D. in. Shimoga & a draft to Resdy.

Sd
10/4.
Pol

4) may be approved

(Chief Secy) PRL 11/4/35

CHIEF SECRETARY
11 APR. 1935

RR
11/4/35

5) Issue

PRL
11/4/35

6 No 705 of 11/4 to D. in Shimoga requiring him to send police escort to take the delivery of the accd.

16 no Pol 1/23 of 11/4/35 to Resy intimating the above.

NOTE—Contn. Sheet.

No 772 dy 12/4 from Rly (7)
requiring if the Govt have any objection
in view of the fact that
no practical difficulty
has been felt in the
present procedure
which itself is considered
illegal.

26) See ante. for matters
with reference to paras
14 & 15 Supra.

See
16/4. The Govt of India admit the
legal difficulty pointed out in
paras 13 & 14 supra ~~but~~ and say
that the only way to get over the
difficulty is to legislate in the
matter - But they say, that since so far
serious practical difficulties
have not arisen, it is inexpedient
to undertake any legislation to
remove this technical legal
difficulty.

In these circumstances
the proposal of the Bombay Govt
as regards interstatal extradition
may be accepted so far as
states adjoining that Presidency

Serial No.

is concerned-

(Chief Secy) pnc 16/4/35

R&J 12/4/35

1st Member pnc 17/4

Japuka 1874 R&J 1874

Dft pnc 1874

Subd. with a draft letter to Rev & a draft G.O.

Sec 22/4. Subd - Both the drafts may be appd

(Chief Secy) pnc 22/4

R&J 24/4/35

Issue pnc

16 No Pol/1165 of 25/4 to Rev stating that Govt agree to the proposals.

19 G.O No 594 - R&J 26/4 to D: Ins & Dft & D.O. directing the procedure to be followed hereafter

Note–Contn. Sheet.

Press 8vo

OFFICE OF THE FIRST ... 1 ... 7526

TYPING SECTION, 23. APR. 1935 GENL & REV. SECTT.

17

C/5 File No. 1660 of 1933

General and Revenue Secretariat

No 2273 of 2/4 from Resy requesting that approval may be communicated urgently

This will be required only in the case of intercalary khalsa duties

Submit with a draft D.M.

SCC 4/5

Issue 4/5

TYPING 4. MAY 1935 GENL & REV. SECTT.

P.M. No 6200-07 of 10/5 21

Refer to D.Ms of 4/5 requesting that approvals for extra duties from other Departments should be communicated.

No 278 of 18/5 from Resy 22

requesting the surrender of Pathans Guard

Submit with a draft to D.M. Shimoga.

SCC 21/5

The Shimoga D.M. has reported in his monthly statement that the man was produced on 29-4-35

TYPING SECTION. 22 MAY 1935 GENL & REV. SECTT.

No P6450 of 25/5 to Dy. Commr. Chitaldrug

23

that Fras was surrendered on 20/4/35

B. 4.6.35

4882-p34
Pol. 1255

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No.F.278-34
R.O.I.

No 188-33-10

FROM

Major C.G.N. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Dated Bangalore, 25th February *1935.*

CHIEF SECRETARIAT
20 FEB. 1935

Subject.

Extradition of Peetlore Eara and Peetlore Hanuma from Ramdurga to Mysore.

.....

SIR,

I am directed to refer to the correspondence ending with letter from this Residency No.F.278/34, dated the 15th September 1934, regarding the extradition to the Mysore State of the accused Peetlore Hanuma and Peetlore Eara. The Deccan States Agency reports that the accused Peetlore Hanuma was discharged from the Ramdurga jail before the completion of his term of imprisonment as he was reported to be suffering from advanced T.B. and it was considered highly dangerous to keep him with other convicts.

2. The Deccan States Agency further reports that the Ramdurga State authorities are not willing to surrender Peetlore Eara before the completion in the Ramdurga State jail of his term of imprisonment, which will expire on the 30th May 1935, unless he is released earlier on his furnishing the necessary security in default of which he is undergoing imprisonment. The State authorities have however been requested to give timely intimation to the Deccan States Agency if he is to be prematurely released, and to keep him in custody in the meantime, to enable the Mysore Government to send a Police escort to fetch him.

3. I am in this connection to explain that the Government of

Bombay

Bombay have declined to allow their Police to be made responsible for prisoners in inter-statal extradition while in transit through the Bombay Presidency. In consultation with the Agent to the Governor General Deccan States and Resident at Kolhapur it is therefore proposed, if the Government of Mysore see no objection, to adopt the following procedure in inter-statal extradition between Mysore and States adjoining the Bombay Presidency.

4. In cases of surrender from Mysore the letter of request from the State concerned will, on receipt in this Residency, be countersigned by the Secretary to the Resident and forwarded to the Government of Mysore for consideration. When intimation is received of the willingness of the Government of Mysore to surrender the accused, this Residency will inform the Political Agent of the demanding State, who will be asked to request the State authorities to send a Police escort to take delivery of the accused from Mysore. Similarly when a request for surrender is made by the Government of Mysore to any State adjoining the Bombay Presidency, it will be forwarded by this Residency to the Political Officer of the State concerned, who will countersign the letter of request and arrange with the State authorities for the surrender of the accused. On receipt of intimation of the willingness of the surrendering State to surrender the accused person, this Residency will communicate the information to the Government of Mysore, who will at the same time be requested to send a Police escort to take delivery of the accused from the State concerned. In all other cases of extradition to or from Mysore the existing procedure namely, forwarding the letter of request to the Political Officer concerned and issuing a warrant to the nearest British Indian magistrate to cover the transit of the accused through British India, will be followed unless the Political authorities concerned require a different procedure to be adopted.

5. If the Government of Mysore concur in the procedure outlined above

above I am to request that this Residency may be informed accordingly, and that arrangements may kindly be made to send a Police escort to take delivery of the accused Peetlore Eara from the Ramdurga State on the expiry of his term of imprisonment in the State jail.

I have the honour to be,

Sir,

Your most obedient servant,

SECRETARY TO THE RESIDENT.

PKH/22.2.

Appendix F. G.–1]

(1

SUBJECT.....

.....

.....

Section. C5

File No. 18&-33

Serial No. 11

Diary No. of letter replied to.....

No. P4849/En/

To

The I. G. of Police

General and Revenue Secretariat.

( )

the *193* .

Date of issue 7/3/35

Signed by Plenary Typed

The N. I. Copy!

Sir,

I am directed to forward herewith copy of letter No 7-278-34/R.O.I dt 25-2-35 received from the Secy to the Govt the Resident in Mysore in which certain proposals in regard to mutual extradition between Mysore &

List of enclosures.....

Copied by.....

Examined by.....

Crabs adjoining the
Bombay Presidency
and to request your
to favour Govt. with
your views in the
matter.

The question may kindly
be treated as urgent

I am sir

Your most obt Servt

Sd

Sd

6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 4849 Gen 7 *Dated, Bangalore,* 6th March 1935.

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Inspector General of Police in Mysore,
BANGALORE.

Sir,

I am directed to forward herewith copy of letter No. F.278-34/R.O.I dated 26th February 1935 received from the Secretary to the Hon'ble the Resident in Mysore in which certain procedure is proposed in regard to interstatal extradition between Mysore and States adjoining the Bombay Presidency and to request you to favour Government with your views in the matter.

The question may kindly be treated as urgent.

I have the honour to be,
Sir,
Your most obedient servant,

For Chief Secretary to Government.

V.L.

5265

POLICE DEPARTMENT.

No 188 P 33-12

Tel. Address
"POLICE"

PHONE No. 298

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE.

When replying please quote
No. C2-463/35

Dated Bangalore, ...13th March *193* 5.

FROM

F. A. HAMILTON, ESQ., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

To

CHIEF SECRETARY'S Proty
14 MAR 1935

RAJASEVASAKTA

R.RANGA RAO,ESQ., B.A., B.L.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

SIR,

With reference to your letter No.P.4849/Cts. 188-33-11 dated 7th March 1935 anent the procedure to be followed in regard to interstatal extradition, I have the honour to state that I have no objection to the proposals made.

I have the honour to be,
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

NK.

Pol. 1069 ✓ 30 3/35

To

cho 1586-33-1B

The Secretary to the Hon'ble the Resident in Mysore.

Sir,

With reference to the correspondence ending with your letter No. F.278-34/R.O.I dated 25th February 1935 re: the extradition of Peetlore Eara and another, I am directed to state that while the Mysore Government are prepared to agree to the proposals of the Bombay Government in regard to the procedure ~~to be adopted~~ suggested for the escort of accused persons in inter-statal extradition between Mysore and States adjoining the Bombay Presidency, they feel a doubt ~~if~~ as to whether under the procedure proposed, the fugitive when in transit through British India under the charge of ~~the~~ an officer of the Mysore Police can be said to be in lawful custody. If such detention is in any way held to be wrongful by British Indian Courts, ~~the Mysore Government feel the consequences to be serious~~ to situation with regard embarrassing. I am therefore to say that the Mysore Government will have no objection to the proposals, if the legality of the custody of the fugitive with the Mysore Police escort while in transit through British India is ~~placed~~ beyond doubt.

I have &c.,

25/7/35

Chief Secretary to Government.

V.L.

9

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 29th March *193*5.

No.

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Secretary to the Hon'ble the Resident in Mysore, Bangalore.

Sir,

With reference to the correspondence ending with your letter No. F.278-34/R.O.I dated 25th February 1935 regarding the extradition of Peetlore Eara and another, I am directed to state that while the Mysore Government are prepared to agree to the proposals of the Bombay Government in regard to the procedure suggested for the escort of accused persons in interstatal extradition between Mysore and States adjoining the Bombay Presidency, they feel a doubt as to whether under the procedure proposed, the fugitive when in transit through British India under the charge of an Officer of the Mysore Police can be said to be in lawful custody. If such detention is in any way held to be wrongful by British Indian Courts, the situation will be rather embarrassing. I am therefore to say that the Mysore Government will have no objection to the proposals, if the legality of the custody of the fugitive with the Mysore Police escort while in transit through British India is beyond doubt.

I have the honour to be,

Sir,

Your most obedient servant,

Chief Secretary to Government.

Sd.

TSS

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.278/34 (1)
R.O. I

10 Pol. (Ext.).
9853 of 34
P
Jb 1886-33-14

FROM

A. J. Courtney, Esq.,
SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated, Bangalore, the 10th April *1935*.

CHIEF SECRETARY.
10 APR. 1935

Subject.

Extradition of Peetlore Eara from Ramdurga State to Mysore.

SIR,

245 P

With reference to paragraph 5 of my letter No. F.278/34(1), dated the 25th February 1935, I am directed to say that intimation has now been received from the Deccan States Agency that the accused Peetlore Eara will be released from the Ramdurga State jail on the 20th April 1935.

The favour of an acknowledgment is requested.

I have the honour to be,
Sir,
Your most obedient servant,

A. J. Courtney

for SECRETARY TO THE RESIDENT.

BJ
10/4

2075.

Appendix F. G.–1] 11

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat.

( )

the *193*

Date of issue 11/4/35

Signed by [illegible]

List of enclosures.....

Copied by.....

Examined by.....

Section. C 65

File No. 188-33

Serial No. 15

No. P 5705/

To

The D.M. Shimoga

Sir,

With reference to the correspondence ending with your letter No. J.1.2 & 4/3435 of 19-2-35 on the above subject I am directed to state that it is reported that Puttaswamy Hanumanta was discharged from the Reformatory Jail before completion

of his term of imprisonment
as he was suffering
from advanced T.B and
it was considered highly
dangerous to keep him
with other convicts.

The Police also informed
Petition Exa is to be released
from Rampur Jail
Jail on 20-4-35 &
the State authorities
are willing to commute
~~him~~ his release.

But the Bombay Govt
is now willing to undertake
this police responsibility
for the reason of the
prisoner ~~[illegible]~~ in the
Bombay Presidency
they want as they have no
Police escort to bear cost
for taking charge of
the accused from the State
concerned

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

I am to request you
thereupon to arrange
for the public issue
being given to
Ramsbottom & Co
of Gala delivery
of Petition Form
on the 20th April
1925.

I have etc

W. C. Craig Esq

54

WD 0436—GPB—10,000—17-10-33

'4

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P3-705 / G-188-33

Dated, Bangalore, 11th April *193*5

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The District Magistrate,
Shimoga.

Sir,

With reference to the correspondence ending with your letter No.Jl C.44½/34-35 dated 19th February 1935 regarding the extradition of Petlore Era and another, I am directed to state that it is reported that Petlore Hanuma was discharged from the Ramdurga Jails before the completion of his term of imprisonment as he was suffering from advanced T.B. and it was considered highly dangerous to keep him with other convicts. The other prisoner Petlore Era is to be released from Ramdurga State Jail on 20th April 1935 and the State authorities are willing to surrender him on release.

But the Bombay Government is not willing to make their Police responsible for the escort of the prisoner through the Bombay Presidency and they want a Mysore Police escort to be sent for taking delivery of the accused from the State concerned.

I am to request you therefore to arrange for a Police escort being sent to Ramdurga State to take delivery of Petlore Era on the 20th April 1935.

I have the honour to be,

Sir,

Your most obedient servant,

For Chief Secretary to Government.

Appendix F. G.–1]

SUBJECT.....

.....

.....

Section. C/5

File No. 186-33

Serial No. 16

No. Pol. 1123

To

The Secy to the Govt
The Resident

Sir,

With reference
to the correspondence
ending with your letter
No 7.278/34(1) dt 10/4/35
R.O.C.
on the subject of Pattom Colony, I am
directed to state
that the D.C. of Shencottah
has been asked to
arrange for the forcible
removal of the Sepoy
to his native country of

Diary No. of letter replied to.....

General and Revenue Secretariat.

( )

the 193

Date of issue 11.6.35

Signed by Mr. N.R. Jayaraman

List of enclosures..... Pending settlement of the general question raised in paras 3 & 4 of my letter No. 7078/34(11) dated 25 Feb 1935

Copied by.....

Examined by.....

16

Thi accuse from the Ramakrishna
State authorities on
20-4-1935.

Sd Laurence

for M. Christy Secy

Secy

17

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 11th April 193 5.

No. Pol 1123

Cr. 188-33.

From
Rajasevasakta
R.Ranga Rao, Esq.,B.A.,B.L.,
Chief *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

Sir,

With reference to the correspondence ending with your letter No.F.278/34(1) /R.O.I. dated 10th April 1935 re: the extradition of Petlore Era, I am directed to state that pending settlement of the general question raised in paras 3 and 4 of your letter No.F.278/34(11) dated 25th February 1935 the District Magistrate, Shimoga has been asked to arrange for a police escort being sent to take delivery of the accused from the Ramadurga State - - - authorities on 20th April 1935.

I have the honour to be

Sir,

Your most obedient servant,

For Chief Secretary to Government.

V.L.

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No.F.278-34(I)
R.O.I.

18
5974 Apm
S1/P
ab 188-33-17

FROM

Major C.G.N. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Pridr (Law) 1.R. 1935

Dated, Bangalore, the 12th April *1935*.

Subject.

Procedure in Inter-statal Extradition between Mysore and States adjoining the Bombay Presidency.

.....

XX April 1935.

SIR,

I am directed to refer to your letter No.Pol.1069/cts.138-33-13, dated the 30th March 1935, and to say that the point regarding the legality of the custody of the accused while in transit through British India has not been overlooked. I am in this connection to communicate to you the views expressed by the Government of India on the subject in another connection.

2. In the opinion of the Government of India, there is no escape from the conclusion that in the absence of legislation authorising the transport under custody through British India of persons in the process of extradition from one State in India to another State in India, the custody of such persons in British India is illegal custody, while the necessary legal authority is not in their opinion secured under the system followed in the case of transport through the Madras Presidency, inasmuch as they do not agree with the view that it is admissible to issue a warrant under section 7 of the Indian Extradition Act in advance of the arrival in British India of the person whose extradition is sought. They are further of the opinion that in the absence of more serious

practical

19

practical difficulties than have yet arisen it is inexpedient to undertake legislation in the matter. They have therefore decided that the existing practice established with reference to transport across any particular part of British India should continue to be followed in that area.

3. I am now to enquire whether in view of this explanation the Government of Mysore have any further objection to the adoption of the procedure indicated.

I have the honour to be,

Sir,

Your most obedient servant,

SECRETARY TO THE RESIDENT.

PKH
9.4.

Appendix F G—1]

SUBJECT .....

.....

.....

Section Pol

File No. 185-33

Serial No. 16

Diary No. of letter replied to .....

No. Pol. 1165

To The Secy to the Govt of Bombay Pol Dept

Sir,

With reference to the correspondence ending with your letter No 7928-34(I) R.O.T. dt 19-2-35 on the subject of withdrawal of the Bombay Presidency I am directed to state that in the circumstances explained in the

General and Revenue Secretariat

( )

the *193*

Date of issue 25/4/35

Signed by Sd R.R.

List of enclosures .....

Copied by .....

Examined by .....

[illegible]

Dear Sir, I am to refer to the proposals of the Bank - Govt ~~to make~~ contained as indicated in para 4 of your letter of the ~~[illegible]~~ 25th Feb 1946

I am

Sir,

Your obedient servant

RL
24/4

1 22

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 24th April *1935*

No.

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

With reference to the correspondence ending with your letter No. F. 278-34(I)/R.O.I, dated 12th April 1935, regarding the procedure in inter-statal extradition between Mysore and States adjoining the Bombay Presidency, I am directed to state that in the circumstances explained the Mysore Government have no objection to agree to the proposals of the Bombay Government contained in para 4 of your letter of the 25th February 1935.

I have the honor to be,
Sir,
Your most obedient servant,

Chief Secretary to Government.

TRM.2

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary. No of letter replied to .....

General and Revenue Secretariat

( )

the 193

Date of issue 26/4/ 193 5.

Signed by

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Section

File No. 188-33

Serial No. 19

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Order thereon.—No. P 3914-22

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

List of Enclosure

Copied by

Examined by

WD 0185—GPB—15,000—18-8-34

25

Government of his highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 5914-22—Cts. 188-33-19, dated 24—26th April 1935.

Inter-Statal Extradition.

Indicates the procedure in ——.

READ—

The following extract from letter No. F. 278-34—R.O.I., dated 25th February 1935, from the Secretary to the Hon'ble the Resident in Mysore:—

* * *

"I am in this connection to explain that the Government of Bombay have declined to allow their Police to be made responsible for prisoners in Inter-Statal extradition while in transit through the Bombay Presidency. In consultation with the Agent to the Governor-General, Deccan States and Resident at Kolhapur, it is therefore proposed, if the Government of Mysore see no objection, to adopt the following procedure in Inter-Statal extradition between Mysore and States adjoining the Bombay Presidency.

In cases of surrender from Mysore, the letter of request from the State concerned will, on receipt in this Residency, be countersigned by the Secretary to the Resident and forwarded to the Government of Mysore for consideration. When intimation is received of the willingness of the Government of Mysore to surrender the accused, this Residency will inform the Political Agent of the demanding State, who will be asked to request the State authorities to send a Police escort to take delivery of the accused from Mysore. Similarly when a request for surrender is made by the Government of Mysore to any State adjoining the Bombay Presidency, it will be forwarded by this Residency to the Political Officer of the State concerned, who will countersign the letter of request and arrange with the State authorities for the surrender of the accused. On receipt of intimation of the willingness of the surrendering State to surrender the accused person, this Residency will communicate the information to the Government of Mysore, who will at the same time, be requested to send a Police escort to take delivery of the accused from the State concerned. In all other cases of extradition to or from Mysore, the existing procedure, namely, forwarding the letter of request to the Political Officer concerned and issuing a warrant to the nearest British Indian magistrate to cover the transit of the accused through British India, will be followed unless the Political authorities concerned require a different procedure to be adopted."

* * *

ORDER NO. P. 5914-22—CTS. 188-33-19, DATED BANGALORE, THE 24—26TH APRIL 1935.

Government direct that in Inter-Statal extradition between Mysore and the States adjoining the Bombay Presidency, the procedure indicated in the extract read above be followed in future.

R. RANGA RAO,
Chief Secretary to Government.

To—The District Magistrates of Districts.
The Inspector-General of Police in Mysore.

Exd.—C. K.

WD 1739—GPB—325—2-5-35

6238/34 P&S Pol. 1584

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No.F.273-34
R.O.I.

No 188-33-20

FROM

Major C.G.N. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

CHIEF SECRETARIAT
3 MAY 1935

Dated, Bangalore, the 2nd April *1935*.

Subject.

Inter-statal extradition between Mysore and the States adjoining the Bombay Presidency.

.....

SIR,

In reply to your letter No.Pol.1123/cts.133-33, dated the 11th April 1935, I am directed to invite a reference to my letter No.F.273/34(1), dated the 12th April 1935, in which the position regarding the legality of the custody of the accused has been explained.

2. With reference to the procedure outlined in paragraph 4 of my letter No.F.273/34(1), dated the 25th February 1935, I am to request that if there is no objection, applications for extradition to Mysore may kindly be forwarded in duplicate - one for record in this office and the other for onward transmission to the Political Officer of the surrendering State.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

PKH

PKH
29.4.

Appendix F G—1]

7

SUBJECT .....

.....

.....

Section C5

File No. 188-33

6.m. Serial No. 21

No. P6200-07

To

D. Mrs of H.C.

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue 10/5/33

Signed by M. N. Nair

whenever the extra duties to impose by any legislature from other Indian States has to be arranged for the D. Mrs of H.C are requested to forward the applications for leave entitlements in respect

List of enclosures .....

B. C.

Copied by .....

MC 4/5

Chief Secy

Examined by.....

SG

10/5

WD 01956—GPB—22,590—12-6-34

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 6457 *Dated, Bangalore,* 22nd May 1935.

From

The *Chief Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The District Magistrate,

Shimoga.

Sir,

I am directed to invite reference to this office letter No.P.5705 dated 11th April 1935 re: the extradition of Pettore Era, ~~I am directed~~ and to state that it is reported that accused Pettore ~~Far~~ Era was handed over to the Mysore Police escort on the morning of 20th April 1935.

I have the honour to be,
Sir,
Your most obedient servant,

for Chief Secretary to Government.

bnl.2

Appendix F G—1]

31

SUBJECT .....

.....

.....

ary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

te of issue 25/5/35

ed by

List of enclosures .....

Copied by .....

Examined by.....

Section C15

File No. 188/33

Serial No. 23

No. P1450/

To

The District Officer

Sir,

I am directed to refer to your reference this office letter No. P 5705 of 11-4-35 in the case of Pattoo Era, and to state that it is reported that accused Pattoo Era was handed over to the Mysore Police on the morning of 20-4-35.

I have etc

WD 01956—GPB—22,590—12-6-34

For Secretary

Government of his highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. P. 5914-22—Cts. 188-33-19, dated 24—26th April 1935.

Inter-Statal Extradition.

Indicates the procedure in ——

READ—

The following extract from letter No. F. 278-34—R.O.I., dated 25th February 1935, from the Secretary to the Hon'ble the Resident in Mysore :—

* * *

"I am in this connection to explain that the Government of Bombay have declined to allow their Police to be made responsible for prisoners in Inter-Statal extradition while in transit through the Bombay Presidency. In consultation with the Agent to the Governor-General, Deccan States and Resident at Kolhapur, it is therefore proposed, if the Government of Mysore see no objection, to adopt the following procedure in Inter-Statal extradition between Mysore and States adjoining the Bombay Presidency.

In cases of surrender from Mysore, the letter of request from the State concerned will, on receipt in this Residency, be countersigned by the Secretary to the Resident and forwarded to the Government of Mysore for consideration. When intimation is received of the willingness of the Government of Mysore to surrender the accused, this Residency will inform the Political Agent of the demanding State, who will be asked to request the State authorities to send a Police escort to take delivery of the accused from Mysore. Similarly when a request for surrender is made by the Government of Mysore to any State adjoining the Bombay Presidency, it will be forwarded by this Residency to the Political Officer of the State concerned, who will countersign the letter of request and arrange with the State authorities for the surrender of the accused. On receipt of intimation of the willingness of the surrendering State to surrender the accused person, this Residency will communicate the information to the Government of Mysore, who will at the same time, be requested to send a Police escort to take delivery of the accused from the State concerned. In all other cases of extradition to or from Mysore, the existing procedure, namely, forwarding the letter of request to the Political Officer concerned and issuing a warrant to the nearest British Indian magistrate to cover the transit of the accused through British India, will be followed unless the Political authorities concerned require a different procedure to be adopted."

* * *

ORDER No. P. 5914-22—CTS. 188-33-19, DATED BANGALORE, THE 24—26TH APRIL 1935.

Government direct that in Inter-Statal extradition between Mysore and the States adjoining the Bombay Presidency, the procedure indicated in the extract read above be followed in future.

R. RANGA RAO,
Chief Secretary to Government.

To—The District Magistrates of Districts.
The Inspector-General of Police in Mysore.

Exd.—C. K.

WD 1739—GPB—325—2-5-35

7377/34
P&S

OFFICE OF THE DISTRICT MAGISTRATE,
SHIMOGA DISTRICT.

No. J1. C. 449/33-34.

Dated, Shimoga...25th..J..u..n..e...193 5

Cs 188-33-24

FROM S. Narayana Rao, Esq., B.A., (Hons)
~~K.V.V.A.K.I.S.V.A.D.A.N. Esq., B.A.~~
District Magistrate,
Shimoga District.

To

The District Magistrate

Ramdurg.

SIR,

With reference to your letter No. P.R.P. 47 of 1935 dated 20-4-1935 intimating that Potlore Era was handed over to the Police for transmission to Shimoga, I have the honour to state that the said individual was produced before this Court by Constables Abdul Khader and Badekan on 22-4-1935.

He has been caused to be produced before the Court which required his appearance for trial.

I have the honour to be,
Sir,
Your most obedient servant,
Sd/-. K.Mahamed Ahamed,
For District Magistrate,
Shimoga District.

SECRETARY Law 26 JUNE 1935

Cs 188-33-24 Copy is forwarded with compliments, to the Chief Secretary to Government, Bangalore, for favour of information with reference to his letter No. P. 6450/Cts. 188-33-23 dated 25-5-1935.

63,48

Sd/- S. Narayana Rao,
District Magistrate,
Shimoga District.

Submitted for perusal
27/6.
27/6